

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

NEWRIVER, INC.,)
Plaintiff,)
)
v.)
)
MORNINGSTAR, INC.,)
Defendant.)
_____)

C.A. No. 09-10166 (JLT)

STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties, Plaintiff NewRiver, Inc. and Defendant Morningstar, Inc., by their counsel, hereby stipulate that this action shall be and hereby is dismissed with prejudice. Each party agrees to bear its own costs and attorneys' fees and waives all rights of appeal.

Respectfully submitted,

NEWRIVER, INC.

By its attorneys,

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By its attorneys,

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